

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

FILE: B-56200

DATE: SEP 14 1976 98038 <sup>61486</sup>MATTER OF: United States Court of Military Appeals - Use of  
Attorneys' Admission Fees

DIGEST: United States Court of Military Appeals may retain admission fees collected from attorneys seeking to become members of its bar and use them for certificates of admission, maintenance of Court library, and other matters Court may designate. Since 1951 GAO has declined to raise objection to similar practice by other courts established by authority of Congress, and sees no basis to distinguish this Court in the interest of establishing uniform practice among such courts.

The Acting Clerk of the United States Court of Military Appeals requested our opinion as to whether the Court can receive and disburse admission fees collected from lawyers seeking admission before the Court, rather than depositing these funds in the United States Treasury as miscellaneous receipts. Contemplating that a portion of these admission fees would be used to pay for Certificates of Admission, the Court would like to know whether funds not needed for Admission Certificates can be used to establish a fund to support the Court library and for such other purposes as the Court may designate.

Since 1951 our Office has declined to raise objection to the judicial practice of using part or all of attorneys admission fees to maintain court law libraries. In our decision of June 8, 1951, B-56200, we held, with reference to the United States Circuit Courts of Appeals, that, considering certain Supreme Court decisions discussed therein, together with the long-standing practice of the Courts of Appeals to retain admission fees for library and other purposes, and the fact that failure to deposit fees in the Treasury had been called to the attention of Congress, we would no longer question such use of admission fees "\*\*\* unless and until the Congress should take further action in the matter." This decision effectively overruled our earlier holding in 11 Comp. Gen. 372 (1932).

In B-56200 dated March 31, 1959, we held that our June 8, 1951 decision applied to a similar practice by the United States District Courts. In keeping with these decisions, we subsequently decided that the United States Court of Claims might establish a practice of applying its attorneys' admission fees to the maintenance of the Court's library, noting that:

"[T]here appears no appreciable difference between the questions considered in the cited decisions and that now presented in your letter, nor does there appear to be any sound reason for not permitting a uniform practice in all the courts established by authority of Congress." B-56200, May 4, 1965 (Emphasis added.)

On these bases, we accorded similar treatment to the United States Court of Customs and Patent Appeals in our decision of July 6, 1965, B-56200.

Accordingly, we will not object to the establishment of a similar practice by the United States Court of Military Appeals.

R.F. KELLER  
Deputy, Comptroller General  
of the United States